



Broward County

Legislation Details (With Text)

File #: 21-716 **Version:** 1

Status: Agenda Ready

In control: County Administration - Real Property Section

On agenda: 5/18/2021 **Final action:** 5/18/2021

Title: MOTION TO APPROVE utility and access easement agreement between the School Board of Broward County, Florida, owner of Meli Park, located at 2900 SW 52nd Street in Dania Beach, and Broward County granting an easement for water and wastewater main lines for adequate fire suppression, domestic use and public utilities to service Meli Park and the surrounding community at no cost to the County; authorize Mayor and Clerk to execute easement; and authorize recordation of same upon execution by both parties. (Commission District 7)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 2 - Property Data Sheet, 2. Exhibit 1 - Easement Agreement-CAO Signed

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Bertha Henry

Department: County Administration

Division: Real Property

Information

Requested Action

MOTION TO APPROVE utility and access easement agreement between the School Board of Broward County, Florida, owner of Meli Park, located at 2900 SW 52nd Street in Dania Beach, and Broward County granting an easement for water and wastewater main lines for adequate fire suppression, domestic use and public utilities to service Meli Park and the surrounding community at no cost to the County; authorize Mayor and Clerk to execute easement; and authorize recordation of same upon execution by both parties. **(Commission District 7)**

Why Action is Necessary

Board of County Commissioners' approval is required to accept an interest in real property pursuant to Broward County Administrative Code, Section 6.23.

What Action Accomplishes

Provides the County with an easement for the water and wastewater utility systems servicing Meli Park and surrounding community.

Is this Action Goal Related

No

Previous Action Taken

None

Summary Explanation/Background

Water and Wastewater Services is requesting a Utility and Access Easement from the School Board of Broward County (SBBC) for water and wastewater lines installed through Meli Park to provide adequate pressures for fire suppression and domestic use, and to replace the existing septic tank system for Meli Park and the adjacent community.

The School Board of Broward County (SBBC) owns Meli Park, currently subject to a 40-year Master Recreation Lease Agreement with the City of Dania Beach. The City of Dania Beach granted approval to the County for the lines installation without having authority to do so. As a result, Water and Wastewater Services designed and constructed the lines from 2008 to 2012.

On December 1, 2015 (Item No. 10), the Board of County Commissioners approved a Utility Easement Agreement to obtain such easement ("2015 Easement"). However, the Board of SBBC rejected the terms of the 2015 Easement with instructions to their staff to secure an easement that made the SBBC whole in the event of a future sale or lease of Meli Park.

Subsequently, County staff and SBBC staff renegotiated the terms of the easement to meet the requirements of each government. Upon Board of County Commissioner approval, the easement agreement will be presented to the SBBC for approval.

All documents have been reviewed and approved as to form by the Office of the County Attorney.

Source of Additional Information

Lary Mahoney, Director of Real Property Development, (954) 357- 7357

Alan W. Garcia, Director, Water & Wastewater Services, (954) 831-0704

Trevor M. A. Fisher, P.E., MBA, Acting Director, Public Works Department, (954) 357-6410

Fiscal Impact

Fiscal Impact/Cost Summary

There is no fiscal impact to Broward County.